

# EXHIBIT 6

**From:** Jason Putnam Gordon <rdjpg@putnamgordon.com>  
**Sent:** Monday, February 24, 2014 1:45:36 PM  
**To:** Rob Pooley <rpooley75@gmail.com>  
**Cc:** Ed Scott <escott@uspa.org>; Jim Crouch <jcrouch@uspa.org>; Mike Mullins <michaelmullins@skydivekingair.com>; Randy Allison <uspa@midwestfreefall.com>; Rich Winstock <richardwinstock68@gmail.com>  
**Subject:** Disciplinary Letter  
**Attachments:** 20140224 Disciplinary Letter to R Pooley copy.pdf

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Rob,

Very good to meet you in person yesterday. Attached please find a copy of the letter that was mailed to you today.

Let me know if you have any questions.

Best regards,  
Jason

Jason Putnam Gordon  
One Embarcadero Center  
Suite 750  
San Francisco, CA 94111

Date: February 24, 2014

Mr. Rob Pooley  
986 Park Terrace Dr  
Galt, CA 95632-3764

Via Certified Return Receipt U.S. Mail and Electronic Mail

Subject: Written Notice of Prima Facie Showing of Violation

Dear Mr. Pooley:

I write to follow up on our conversation on Monday, February 10. Per USPA Governance Manual Section 1-1, Constitution and By-Laws, Article 1, Section 6 and Section 1-6, this letter provides written notice that on February 10, 2014, the Disciplinary Group met telephonically per Section 1-6.5(B) of the Governance Manual and concluded that there was a prima facie showing of the following:

**Violation and Offense:**

That you, as a tandem instructor examiner, failed to sufficiently verify that one of your tandem-instructor candidates had been in the sport of skydiving for the three-year minimum. As the instructor of that course, you had a duty to verify that each candidate met the requirements. The three-year requirement is listed in section 1.A.4.e of the Tandem Instructor Rating Course of the IRM as specified by FAR 105.45 and is therefore part of the BSRs per BSR 2-1(B). Your conduct is an offense per 1-6.4(B)(4) because were it to be public knowledge, would likely bring public contempt upon yourself, skydivers, and the USPA.

**Background:**

The background and basis of this determination is as follows:

The basis for the prima facie conclusion is from your and my conversations, a review of the email correspondence between Tom Noonan and you, and my discussions with Jay Stokes.

On January 30, 2014, Tom Noonan emailed you to, among other things, notify you that one of your tandem-instructor students Exequiel Magnani did not appear to have three years in the sport of skydiving at the time that you qualified him to be a tandem instructor. According to National Director Noonan, who reviewed the USPA license information of Exequiel Magnani and who had a conversation with you, Mr. Magnani did not appear to have three years of skydiving experience as required by FAR 105.25.

Because of that, Mr. Noonan, who also works for UUPT, suspended your UUPT tandem examiner endorsement. (Without a manufacturer endorsement, you cannot teach a tandem-instructor course. See IRM Tandem Rating Court 1.D.2 and 1.E.1.e.)

Separate from this, around the same time, you and I had been working together to correct a number of deficiencies in your documentation for your USPA students, which had prejudiced several of your students by delaying the issuance of their licenses and ratings.

On Friday, January 31, 2014, I reviewed Mr. Noonan's email to you. That along with your history of problems adequately documenting courses led me to utilize my summary authority per section 1-6-6(A)(1) to temporarily suspend your instructor-examiner ratings for up to 60 days, effective January 31.

When I informed you of your suspension, you indicated that you would see National Director Jay Stokes the following week for a re-currency training for tandem examiner. You thereafter accepted responsibility for the deficiencies.

On Saturday, February 8, National Director Stokes emailed a letter to me and to Tom Noonan. The letter indicated that as of that time, you demonstrated sufficient proficiency to merit having your UUPT and USPA tandem examiner ratings restored.

On Monday, February 10, the Disciplinary Group met to discuss the above-referenced facts. We concluded that there was a prima facie showing of a violation as set forth above. Further, we concluded that because you have demonstrated sufficient skill, reinstating your examiner ratings was appropriate. I then reinstated your rating and verbally informed you of that.

Given your acceptance of responsibility, contrition, and efforts with Jay Stokes to ensure the necessary level of proficiency, my preliminary recommendation is for a 10-day suspension of your examiner ratings with credit for time served.

You have 15 days to request in writing a hearing per Governance Manual Section 1-6.5(E). (The hearing can be telephonically or electronically conducted.) If you do not request a hearing, the Disciplinary Group and I will meet telephonically to reach our final determination per Governance Manual 1-6.5(I). That determination will then be sent to the executive committee for final disposition per Governance Manual 1-6.5(K).

Please let me know in writing within 15 days if you would like a hearing.

Very truly yours,



Jason Putnam Gordon, USPA Pacific Regional Director

cc: Ed Scott, Director of the USPA (electronically)  
Disciplinary Group (electronically)